

REMARKS

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance.

Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 1–35 are in the present application. It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner and are in full compliance with the requirements of 35 U.S.C. § 112. No changes to the claims are presented herein.

Claims 1-35 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner contends the previously added language “said coded data has no additional information representing the prediction method” does not have support in the originally filed specification. In the present invention, “coded data can be decoded into the original image (an image without deterioration in image quality) and added information, without any overhead for decoding.” (Specification page 59, lines 20-23) Applicants respectfully reassert their position that this necessarily means there is no information representing the prediction method added to the original image. Rather, to decode the coded data, the prediction method is recognized by the magnitude relation of the pixel values B, C, and d as calculated in step S62 of Figure 17. (Specification page 54, last paragraph) In this manner, the prediction method used in coding the image data is indicated by the relationship between pixel values in the coded data and not by any additional information added to the image.

The Examiner previously asserted the “prediction method is inherently included in the added information.” (Office Action of 8/10/04, page 2) However, as disclosed on page 59 of the specification, “the prediction method to be used ... is selected based on added information,” which is not equivalent to including the prediction method in the added information. The Examiner further notes the specification states “the added information may be, for example, text data, audio data, and reduced images, relating to the original image, or may be unrelated to the original image.” (Specification page 17) Importantly, the specification does not state the added information includes information on the prediction method. The Examiner also contends “even though the present invention does not use the name ‘prediction method’ being added into the coded data, it does add information regarding prediction method, if not information that can extract the prediction method into the coded data.” (Office Action of 8/10/04, page 3) Actually, the prediction method is extracted based on various rules regarding the relation of pixel values. (see Figure 19) Hence, the prediction method is not extracted based on the “additional information” embedded into the coded data.

Accordingly, for at least these reasons, Applicants believe the present claims are sufficiently supported by the specification and this rejection should now be withdrawn.

Claims 1-3, 5, 12-14, 16-20, and 28-35 were rejected under 35 U.S.C. § 102(b) as being anticipated by Morimoto et al. (U.S. Patent 6,005,643). The Examiner contends “Morimoto’s coded data will not have any additional information representing the prediction method.” (Office Action page 2) Applicants respectfully disagree and provide the attached specification data sheet from ISO/IEC 13818-2; 1995(E) as support to show that Morimoto discloses a method for embedding additional information into an MPEG video bit stream. As shown in the

specification's Table B-4, the macroblock in a B-picture has variable length codes which represent a prediction method. Morimoto specifically discloses embedding the prediction type in macroblocks within a B-frame. (Column 5, lines 46-48) For this reason, Applicants believe Morimoto's MPEG coded data uses the variable length codes representing the prediction method as shown in Table B-4. Since Morimoto uses an embedding rule that adds information relating to the prediction method, it cannot meet the present invention's limitation that "said coded data has no additional information representing the prediction method."

Furthermore, the Examiner points out, Morimoto discloses a method of embedding additional information into coded data using the Embedding rule disclosed at Column 6, Lines 50-60. Importantly, "this embedding rule is one where bit information is caused to correspond to the prediction type of macroblock." (Column 6, lines 46-47) In other words, the additional information indicates the prediction rule used to embed the data. Whereas, in the present invention, "said coded data has no additional information representing the prediction method." (Claims 1, 16-18, and 32-35) This novel feature of the invention allows for "coded data can be decoded into the original image (an image without deterioration in image quality) and added information, without any overhead for decoding." (Specification page 59) "The prediction method to be used for predicting the pixel of interest is selected based on added information, and the pixel of interest is predicted based on the selected prediction method, thereby obtaining the prediction margin of error of the prediction value, so that prediction margin of error can be decoded into the original pixel value and added information by recognizing the prediction method." (Specification page 59) Accordingly, for at least these reasons, Morimoto fails to anticipate the present invention and the rejected claims should now be allowed.

Applicants acknowledge with appreciation the indication by the Examiner that claims 4, 6-11, 15, and 21-27 would be allowable if rewritten to overcome the rejection under § 112, first paragraph, and in independent form including all of the limitations of the base claim and any intervening claims. However, in view of the arguments presented above, Applicants have decided not to amend these claims at this time.

In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

No additional fees are deemed to be required for the filing of this amendment, but if such are, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
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